

105TH CONGRESS  
2D SESSION

# H. R. 3778

To amend the Public Health Service Act to revise the filing deadline for certain claims under the National Vaccine Injury Compensation Program.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 1998

Ms. KAPTUR (for herself and Mr. MEEHAN) introduced the following bill;  
which was referred to the Committee on Commerce

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## A BILL

To amend the Public Health Service Act to revise the filing deadline for certain claims under the National Vaccine Injury Compensation Program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Vaccine Injury  
5       Compensation Reform Act”.

6       **SEC. 2. STATEMENT OF PURPOSE.**

7       The purpose of this Act is to prevent the unfair denial  
8       of compensation under the National Vaccine Injury Com-  
9       pensation Program to certain individuals who are diag-  
10      nosed as having vaccine-related injuries more than 36

1 months after the first symptom, manifestation of onset,  
2 or significant aggravation of such injuries.

3 **SEC. 3. REVISION OF FILING DEADLINE FOR CERTAIN**  
4 **CLAIMS UNDER NATIONAL VACCINE INJURY**  
5 **COMPENSATION PROGRAM.**

6 Paragraph (2) of section 2116(a) of the Public  
7 Health Service Act (42 U.S.C. 300aa–16(a)) is amended  
8 by striking “no petition” and all that follows in such para-  
9 graph and inserting the following: “no petition may be  
10 filed for compensation under the Program for such injury  
11 after the expiration of 36 months after the date on which  
12 such injury is diagnosed, except that, if such injury is first  
13 diagnosed before the date of the enactment of the Vaccine  
14 Injury Compensation Reform Act, no petition may be filed  
15 for compensation under the Program for such injury after  
16 the expiration of 36 months after the latest of—

17 “(A) the date on which such injury is diag-  
18 nosed,

19 “(B) the date of the occurrence of the first  
20 symptom or manifestation of onset or of the  
21 significant aggravation of such injury, or

22 “(C) the date of the enactment of the Vac-  
23 cine Injury Compensation Reform Act, if such  
24 injury is first diagnosed after the expiration of

- 1 36 months after the date referred to in sub-
- 2 paragraph (B), and”.

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